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Express Mail Label No.: EV292566015US
Date of Deposit: August 6, 2004

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DOCKET NO.: H0498.70170US00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: George Allen et al.
Serial No.: 10/611,416
Confirmation No.: 1935
Filed: July 1, 2003
For: METHOD AND APPARATUS FOR MEASUREMENT OF SULFATE

Examiner: Gakh, Yelena G.
Art Unit: 1743

MAIL STOP AMENDMENT

Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith are the following documents:

- Information Disclosure Statement
- PTO Form 1449 with cited references
- Return Receipt Postcard

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at (617) 646-8000, Boston, Massachusetts.

A check in the amount of \$180.00 is enclosed to cover the fee for the Information Disclosure Statement. If the fee is insufficient, the balance may be charged to Deposit Account 23/2825. A duplicate of this sheet is enclosed.

Respectfully submitted,
George Allen et al., Applicants

By:



Timothy J. Oyer, Ph.D., Reg. No.: 36,628
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Docket No.: H0498.70170US00
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STATEMENT FILED PURSUANT TO THE DUTY OF DISCLOSURE UNDER 37 CFR §§1.56, 1.97 AND 1.98

Sir:

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, the Applicant requests consideration of this Information Disclosure Statement.

PART I: Compliance with 37 C.F.R. §1.97

This Information Disclosure Statement has been filed more than three months after the filing date of this application and after the mailing date of the first Office Action, but before the mailing date of either a final action under 37 C.F.R. §1.113 or a Notice of Allowance under 37 C.F.R. §1.311, or an action that otherwise closes prosecution in this application.

The fee of \$180.00 as set forth in 37 C.F.R. §1.17(p) is enclosed.

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PART II: Information Cited

A. The Applicant hereby makes of record in the above-identified application the information listed on the attached form PTO-1449 (modified). The order of presentation of the references should not be construed as an indication of the importance of the references.

B. The Applicant hereby makes the following additional information of record in the above-identified application.

1. The above-identified U.S. application claims priority to application Serial No. PCT/US02/00047. If the Examiner has not had the benefit of review of the file history of PCT/US02/00047, then he/she is asked to contact the undersigned, who will provide a copy of same.
2. The Applicant would like to bring to the Examiner's attention the enclosed International Preliminary Examination Report from corresponding International Application No. PCT/US02/00047.

PART IV: Explanation of Non-English Language References and Remarks Concerning Other Information Cited

The following is a concise explanation of the relevance of each non-English language reference listed on the attached form PTO-1449 (modified):

The following are remarks concerning the other information cited:

PART V: Remarks

Documents cited anywhere in the Information Disclosure Statement are enclosed unless otherwise indicated. It is respectfully requested that:

1. The Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;
2. The enclosed form PTO-1449 be signed by the Examiner to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application;

3. The citations for the information be printed on any patent which issues from this application.

By submitting this Information Disclosure Statement, the Applicant makes no representation that a search has been performed, of the extent of any search performed, or that more relevant information does not exist.

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

Notwithstanding any statements by the Applicant, the Examiner is urged to form his own conclusion regarding the relevance of the cited information.

An early and favorable action is hereby requested.

Respectfully submitted,
George Allen et al., Applicants

By:


Timothy J. Oyer, Ph.D., Reg. No. 36,628
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FORM PTO-1449/A and B INFORMATION DISCLOSURE STATEMENT BY APPLICANT				APPLICATION NO.: 10/611,416	ATTY. DOCKET NO.: H0498.70170US00		
				FILING DATE: July 1, 2003	CONFIRMATION NO.: 1935		
				APPLICANT: George Allen et al.			
				GROUP ART UNIT: 1743		EXAMINER: Gakh, Yelena G.	
Sheet	1	of	1				

U.S. PATENT DOCUMENTS

Examiner's Initials	Cite No.	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication or of issue of Cited Document MM-DD-YYYY
		Number	Kind Code		
A1		5,983,732		Hering et al.	11-16-1999

FOREIGN PATENT DOCUMENTS

Examiner's Initials	Cite No.	Foreign Patent Document			Name of Patentee or Applicant of Cited Document (not necessary)	Date of Publication of Cited Document MM-DD-YYYY	Translation (Y/N)
		Office/Country	Number	Kind Code			

OTHER ART – NON PATENT LITERATURE DOCUMENTS

Examiner's Initials	Cite No	Include name of the author (in CAPITAL LETTERS) title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, relevant page(s), volume-issue number(s), publisher, city and/or country where published.	Translation (Y/N)
	C1	THERMO ELECTRON CORPORATION, "Advanced Atmospheric Particulate and Trace Monitoring Solutions Launched," http://www.thermo.com/com/cda/newsevents/news_detail , August 5, 2004, 2 pgs.	
	C2	THERMO ELECTRON CORPORATION, "Model 5020 SPA, Sulfate Particulate Analyzer," http://www.thermo.com/com/cda/newsevents/news_detail , August 5, 2004, 1 page.	
	C3	International Preliminary Examination Report of International Application No. PCT/US02/00047, dated May 13, 2003	

EXAMINE R	DATE CONSIDERED

#EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

[NOTE - The Office hereby waives the requirement under 37 CFR 1.98 (a)(2)(i) for submitting a copy of each cited U.S. patent and each U.S. patent application publication for all U.S. national patent applications filed after June 30, 2003 and for all international applications that have entered the national stage under 35 USC 371 after June 30, 2003. See 37 CFR 1.491(b). For all patent applications filed on or before June 30, 2003, copies of cited U.S. patents and patent application publications are still required unless an eIDS is filed. Copies of all other patent(s), publication(s), or other information listed must still be provided, even if it was previously submitted to, or cited by, the U.S. Patent Office in an earlier application, unless the earlier application is identified by the IDS and is relied upon for an earlier filing date under 35 U.S.C. §120, and the copy was provided in the earlier application.]